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09/970,530	10/03/2001	Marko Mattila	NOKM.012PA	1364
7590	01/26/2005		EXAMINER	
Steven R. Funk Crawford PLLC 1270 Northland Drive Suite 390 St.Paul, MN 55120			JEAN GILLES, JUDE	
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			2143	
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Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/970,530	MATTILA ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Jude J Jean-Gilles	2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 03 October 2001.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-43 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-43 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All
  - b) Some \*
  - c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 07/07/2003, 01/21/03, 04/13/02

- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_

## DETAILED ACTION

This office action is responsive to communication filed on 10/03/2001.

### ***Information Disclosure Statement***

1. The references listed on the Information Disclosure Statements submitted on 02/13/2002, 01/21/2003, and 07/07/2003 have been considered by the examiner (see attached PTO-1449A).

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. **Claims 1- 16, 18** are rejected under 35 U.S.C. 103(a) as being unpatentable over Sehr (Sehr), U.S. Patent No. 6,085,976, in view of Ginter et al. (Ginter), U.S. Patent No. 5,910,987.

Regarding **claim 1**, Sehr discloses the invention substantially as claimed.

Although Sehr teaches a method for controlling download access to content available via a network service, comprising:

receiving a content download request from the network service, wherein the content download request includes access information (*column 19, lines 3-33*);

creating an access ticket object based on the access information, wherein the access ticket object comprises a plurality of ticket fields to store a plurality of access parameters parsed from the access information (*fig. 3; column 23, lines 20-67*);

retrieving the access ticket object associated with a transaction request using a ticket identifier accompanying the transaction request (*column 11, lines 63-67; column 12, lines 1-52*);

Sehr further teaches authorizing a content download based on the access parameters of the retrieved access ticket object (*column 20, lines 15-46*); However Sehr does not specifically show the step of delivering the content to a user terminal identified by the access ticket object if the content download is authorized.

In the same field of endeavor, Ginter discloses a “VDE service server which, in response to a request releases the requested content and deliver the content over the network to the requesting user...) [see Ginter, column 222, lines 30-61].

Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Ginter’s teachings of a method and apparatus to deliver the user content to a user terminal based on the authorized content download, with the teachings of Sehr, for the purpose of “authenticating the cardholder or system information and to guarantee a secure information exchange” as stated by Sehr in lines 37-40 of column 3. Thus, Ginter also provides motivation to combine by stating a need to also provide to the network with “the ability to protect rights of various participants in electronic commerce and other

*electronic or electronically-facilitated transactions..." [see Ginter, column 1, lines 23-27].*

By this rationale **claim 1** is rejected.

Regarding **claim 2**, the combination Sehr-Ginter teaches the method of claim 1, wherein creating an access ticket object comprises creating the access ticket object at a download server coupled to the network service via a network. The same motivation that was utilized in the combination of claim 1, applies equally as well to claim 2 [see *Ginter, column 222, lines 9-39*]. By this rationale **claim 2** is rejected.

Regarding **claim 3**, the combination Sehr-Ginter teaches the method of claim 2, wherein retrieving the access ticket object comprises fetching the access ticket object from a storage in the download server. The same motivation that was utilized in the combination of claim 1, applies equally as well to claim 3 [see *Ginter, column 126, lines 47-63*]. By this rationale **claim 3** is rejected.

Regarding **claim 4**, the combination Sehr-Ginter teaches the method of claim 1, wherein the access parameters comprise user-specific and access-specific parameters. The same motivation that was utilized in the combination of claim 1, applies equally as well to claim 4 [see *Ginter, column 232, lines 12-38*]. By this rationale **claim 4** is rejected.

Regarding **claim 5**, the combination Sehr-Ginter teaches the method of claim 4, wherein the access-specific parameters include content access rights identifying an access life cycle. The same motivation that was utilized in the combination of claim 1, applies equally as well to claim 5 [see *Ginter, column 232, lines 12-38*]. By this rationale **claim 5** is rejected.

Regarding **claim 6**, the combination Sehr-Ginter teaches the method of claim 5, wherein the access life cycle transcends user session boundaries. The same motivation that was utilized in the combination of claim 1, applies equally as well to claim 6 [see *Ginter, column 158, lines 58-67; column 159, 1-35*]. By this rationale **claim 6** is rejected.

Regarding **claim 7**, the combination Sehr-Ginter teaches the method of claim 4, wherein the user-specific parameters include an identification of one or more users authorized to receive the content. The same motivation that was utilized in the combination of claim 1, applies equally as well to claim 7 [see *Ginter, column 282, lines 17-38*]. By this rationale **claim 7** is rejected.

Regarding **claim 8**, the combination Sehr-Ginter teaches the method of claim 1, further comprising receiving a confirmation message from the user terminal if the user terminal successfully receives the delivered content. The same motivation that was utilized in the combination of claim 1, applies equally as well to claim 8 [see *Sehr, column 23, lines 20-67*]. By this rationale **claim 8** is rejected.

Regarding **claim 9**, the combination Sehr-Ginter teaches the method of claim 8, further comprising modifying the access ticket object to reflect changes in access rights resulting from the successful receipt of the delivered content at the user terminal. The same motivation that was utilized in the combination of claim 1, applies equally as well

to claim 9 [see *Sehr*, column 23, lines 20-67; column 24, 1-58]. By this rationale **claim 9** is rejected.

Regarding **claim 10**, the combination Sehr-Ginter teaches the method of claim 9, wherein modifying the ticket to reflect changes in the access rights comprises decrementing a permitted download count. The same motivation that was utilized in the combination of claim 1, applies equally as well to claim 10 [see *Ginter*, column 287, lines 63-67; column 288, lines 1-24]. By this rationale **claim 10** is rejected.

Regarding **claim 11**, the combination Sehr-Ginter teaches the method of claim 9, wherein modifying the ticket to reflect changes in the access rights comprises adjusting an access parameter identifying when content may be downloaded. The same motivation that was utilized in the combination of claim 1, applies equally as well to claim 11 [see *Ginter*, column 285, lines 47-67]. By this rationale **claim 11** is rejected.

Regarding **claim 12**, the combination Sehr-Ginter teaches the method of claim 9, wherein modifying the ticket to reflect changes in the access rights comprises modifying at least one of a user identifier and an equipment identifier to modify potential recipients of the content that may be downloaded. The same motivation that was utilized in the combination of claim 1, applies equally as well to claim 12 [see *Sehr*, column 15, lines 38-67]. By this rationale **claim 12** is rejected.

Regarding **claim 13**, the combination Sehr-Ginter teaches the method of claim 1, further comprising delivering an address of the access ticket object to the requesting service upon creation of the access ticket object. The same motivation that was utilized

in the combination of claim 1, applies equally as well to claim 13 [see *Sehr 18, column 18, lines 57-67; column 19, lines 1-33*]. By this rationale **claim 13** is rejected.

Regarding **claim 14**, the combination Sehr-Ginter teaches the method of claim 1, further comprising storing the access ticket object in persistent storage after creation of the access ticket object, and wherein retrieving the access ticket object comprises retrieving the access ticket object from the persistent storage when the ticket identifier matches an access ticket object address. The same motivation that was utilized in the combination of claim 1, applies equally as well to claim 14 [see *Sehr, column 18, lines 57-67*]. By this rationale **claim 14** is rejected.

Regarding **claim 15**, the combination Sehr-Ginter teaches the method of claim 1, further comprising calling a charging element to create a charging record upon delivery of the content to the user terminal. The same motivation that was utilized in the combination of claim 1, applies equally as well to claim 15 [see *Sehr, column 6, lines 20-67*]. By this rationale **claim 15** is rejected.

Regarding **claim 16**, the combination Sehr-Ginter teaches the method of claim 1, wherein authorizing the content download comprises authorizing the content download to one or more of the user terminals associated with the ticket identifier of the access ticket object. The same motivation that was utilized in the combination of claim 1, applies equally as well to claim 16 [see *Sehr, column 20, lines 15-46*]. By this rationale **claim 16** is rejected.

Regarding **claim 18**, the combination Sehr-Ginter teaches the method of claim 1, further comprising fetching the content from a content storage facility upon authorizing

the content download. The same motivation that was utilized in the combination of claim 1, applies equally as well to claim 18 [see *Sehr, column 20, lines 15-46*]. By this rationale **claim 18** is rejected.

Regarding **claim 19**, the combination Sehr-Ginter teaches a download server for controlling access to downloadable content via a network, comprising:

a storage module [see *Ginter, fig. 17, item 302; column 125, lines 27-46*];  
a service handler configured to receive service requests to download content from a network service, to create and store in the storage module a ticket object having access parameters based on information provided in the service request, and to deliver to the network service a corresponding ticket address of the ticket object in the storage module[see *Ginter, column 113, lines 30-37; column 176, lines 29-59*]; and  
a transaction handler configured to receive download transaction requests identifying the ticket address [see *Ginter, column 232, lines 5-38*], to retrieve the ticket object from the storage module based on the ticket address and authorize a download transaction based on the access parameters of the ticket object [see *Sehr, column 20, lines 15-46*], and to deliver the content to a user terminal identified by the ticket object upon authorization of the download transaction [see *Sehr, column 222, lines 30-39*].

The same motivation that was utilized in the combination of claim 1, applies equally as well to claim 19. By this rationale **claim 19** is rejected.

Regarding **claim 20**, the combination Sehr-Ginter teaches the download server as in claim 19, wherein the transaction handler is further configured to fetch the content corresponding to the transaction request from a content storage facility. The same motivation that was utilized in the combination of claim 1, applies equally as well to claim 20 [see *Ginter, column 232, lines 5-38*]. By this rationale **claim 20** is rejected.

Regarding **claim 21**, the combination Sehr-Ginter teaches the download server as in claim 19, further comprising a charging handler to call a charging facility to create a charging record upon delivery of the content to the user terminal. The same motivation that was utilized in the combination of claim 1, applies equally as well to claim 21 [see *Sehr, column 16, lines 20-67*]. By this rationale **claim 21** is rejected.

Regarding **claim 22**, the combination Sehr-Ginter teaches the download server as in claim 19, wherein the storage module is a non-volatile memory. The same motivation that was utilized in the combination of claim 1, applies equally as well to claim 22 [see *Ginter, column 162, lines 34-67*]. By this rationale **claim 22** is rejected.

Regarding **claim 23**, the combination Sehr-Ginter teaches the download server as in claim 19, wherein the access parameters comprise an access quantity field to identify a number of times in which the download transactions have been authorized. The same motivation that was utilized in the combination of claim 1, applies equally as well to claim 23 [see *Sehr, column 18, lines 1-56*]. By this rationale **claim 23** is rejected.

Regarding **claim 24**, the combination Sehr-Ginter teaches the download server as in claim 19, wherein the access parameters comprise an access enable field to identify at what times the download transactions have been authorized. The same motivation that was utilized in the combination of claim 1, applies equally as well to claim 24 [see *Sehr, column 8, lines 5-58*]. By this rationale **claim 24** is rejected.

Regarding **claim 25**, the combination Sehr-Ginter teaches the download server as in claim 19, wherein the access parameters comprise an end-user identification field to identify the end-users to which the content associated with the download transaction has been authorized. The same motivation that was utilized in the combination of claim 1, applies equally as well to claim 25 [see *Sehr, column 18, lines 1-56*]. By this rationale **claim 25** is rejected.

Regarding **claim 26**, the combination Sehr-Ginter teaches the download server as in claim 25, wherein the end-user identification field comprises a user name. The same motivation that was utilized in the combination of claim 1, applies equally as well to claim 26 [see *Ginter, column 235, lines 44-58*]. By this rationale **claim 26** is rejected.

Regarding **claim 27**, the combination Sehr-Ginter teaches the download server as in claim 25, wherein the end-user identification field comprises a user terminal identifier. The same motivation that was utilized in the combination of claim 1, applies equally as well to claim 27 [see *Ginter, column 221, lines 17-49*]. By this rationale **claim 27** is rejected.

Regarding **claim 29**, the combination Sehr-Ginter teaches a system for controlling access to downloadable content via a network, comprising:

- (a) a user terminal to initiate content download requests[see *Ginter, fig. 71, items 2600, 2800; column 231, lines 1-48*];
- (b) a network service module to receive the content download requests and initiate service requests in response thereto [see *Ginter, lines 17-55*];
- (c) a download server coupled to the network service to receive the service requests, the download server comprising:
  - (i) a storage module[see *Ginter, fig. 17, item 302; column 125, lines 27-46*];
  - (ii) a service handler configured to create and store in the storage module a ticket object having access parameters based on information provided in the service request, and to deliver to the network service module a corresponding ticket address of the ticket object in the storage module[see *Ginter, column 113, lines 30-37; column 176, lines 29-59*];
  - (iii) a transaction handler configured to receive download transaction requests identifying the ticket address see *Ginter, column 232, lines 5-38*, to retrieve the ticket object from the storage module based on the ticket address and authorize a download transaction based on the access parameters of the ticket object[see *Sehr, column 20, lines 15-46*], and to deliver the content to a user terminal identified by the ticket object upon authorization of the download transaction[see *Sehr, column 222, lines 30-39*]. The same motivation that was utilized in the combination of claim 1, applies equally as well to claim 29. By this rationale **claim 29** is rejected.

Regarding **claim 30**, the combination Sehr-Ginter teaches the system as in claim 29, further comprising a content storage facility to store the content corresponding to the download transactions. The same motivation that was utilized in the combination of claim 1, applies equally as well to claim 30 [see *Ginter, column 226, lines 47-63*]. By this rationale **claim 30** is rejected.

Regarding **claim 31**, the combination Sehr-Ginter teaches the system as in claim 29, wherein the download server further comprises a charging handler to initiate a charging call upon delivery of the content to the user terminal. The same motivation that was utilized in the combination of claim 1, applies equally as well to claim 31 [see *Ginter, column 113, lines 30-37; column 176, lines 29-59*]. By this rationale **claim 31** is rejected.

Regarding **claim 32**, the combination Sehr-Ginter teaches the system as in claim 31, further comprising a charging facility to create a charging record in response to the charging call from the charging handler. The same motivation that was utilized in the combination of claim 1, applies equally as well to claim 27 [see *Sehr, column 16, lines 20-67*]. By this rationale **claim 32** is rejected.

Regarding **claim 33**, the combination Sehr-Ginter teaches a system for controlling download access to content available via a network service, wherein the network service initiates a content download request including access information[see *Ginter, column 231, lines 6-48*], the system comprising:

means for creating an access ticket object based on the access information, wherein the access ticket object comprises a plurality of ticket fields to store a plurality

of access parameters parsed from the access information[see Sehr, *fig. 3; column 23, lines 20-67*];

means for retrieving the access ticket object associated with a transaction request using a ticket identifier accompanying the transaction request [see Sehr, 11, *lines 63-67; column 12, lines 1-52*];

means for authorizing a content download based on the access parameters of the retrieved access ticket object [see Sehr, *column 20, lines 15-46*]; and

means for delivering the content to a user terminal identified by the access ticket object if the content download is authorized [see Ginter, *column 222, lines 30-61*]. The same motivation that was utilized in the combination of claim 1, applies equally as well to claim 33. By this rationale **claim 33** is rejected.

Regarding **claim 34**, the combination Sehr-Ginter teaches a computer-readable medium having computer-executable instructions for controlling access to downloadable content available via a network service, the computer-executable instructions performing steps comprising:

receiving a content download request from the network service, wherein the content download request includes access information [see Sehr, *column 19, lines 3-33*];

creating an access ticket object based on the access information, wherein the access ticket object comprises a plurality of ticket fields to store a plurality of access parameters parsed from the access information[see Sehr, *fig. 3; column 23, lines 20-67*];

retrieving the access ticket object associated with a transaction request using a ticket identifier accompanying the transaction request[see Sehr, 11, *lines 63-67; column 12, lines 1-52*];

authorizing a content download based on the access parameters of the retrieved access ticket object[see Sehr, *column 20, lines 15-46*]; and

delivering the content to a user terminal identified by the access ticket object if the content download is authorized [see Ginter, *column 222, lines 30-61*]. The same motivation that was utilized in the combination of claim 1, applies equally as well to claim 34. By this rationale **claim 34** is rejected.

Regarding **claim 35**, the combination Sehr-Ginter teaches a method for controlling download access to a terminal to content available via a network service, comprising:

creating an access ticket based on user access information provided by the network service [see Ginter; *column 231, lines 6-48*];

notifying the terminal of a ticket address corresponding to a stored location of the access ticket [see Sehr; *column 15, lines 10-67*];

creating a transaction upon receipt of a transaction request including the ticket address from the terminal[see Ginter; *column 53, lines 1-29*]; and

providing requested content to the terminal for each one or more transaction requests identifying the transaction sent from the terminal[see Ginter; *column 53, lines 20-48*]. The same motivation that was utilized in the combination of claim 1, applies equally as well to claim 35. By this rationale **claim 35** is rejected.

Regarding **claim 36**, the combination Sehr-Ginter teaches the method of claim 35, wherein creating the access ticket comprises:

receiving a content download request from the network service, wherein the content download request includes the user access information [see *Sehr; column 19, lines 3-65*];

parsing the content download request to obtain the user access information; and creating the access ticket based on the user access information[see *Sehr; column 19, lines 3-65*].

Regarding **claim 37**, the combination Sehr-Ginter teaches the method of claim 35, wherein notifying the terminal of a ticket address comprises:

creating a document including the ticket address [see *Ginter, column 271, lines 49-67*]; and

sending the document to the network service for use by the terminal. The same motivation that was utilized in the combination of claim 1, applies equally as well to claim 37 [see *Ginter, column 272, lines 1-58*]. By this rationale **claim 37** is rejected.

Regarding **claim 38**, the combination Sehr-Ginter teaches the method of claim 35, wherein creating a transaction upon receipt of a transaction request comprises:

fetching the access ticket corresponding to the ticket address provided in the transaction request [see *Sehr, column 11, lines 63-67; column 12, lines 1-52*];

creating the transaction if the access ticket is valid; and providing a transaction identifier corresponding to the created transaction to the terminal. The same motivation

that was utilized in the combination of claim 1, applies equally as well to claim 38 [see Sehr, column 5, lines 55-67; column 6, lines 1-65]. By this rationale **claim 38** is rejected.

Regarding **claim 39**, the combination Sehr-Ginter teaches the method of claim 38, wherein providing requested content to the terminal comprises providing the requested content to the terminal upon creation of the transaction. The same motivation that was utilized in the combination of claim 1, applies equally as well to claim 39 [see Sehr, column 5, lines 55-67; column 6, lines 1-65]. By this rationale **claim 39** is rejected.

Regarding **claim 40**, the combination Sehr-Ginter teaches the method of claim 39, wherein providing requested content to the terminal further comprises providing the requested content to the terminal in response to subsequent transaction requests including the transaction identifier. The same motivation that was utilized in the combination of claim 1, applies equally as well to claim 40 [see Sehr, column 5, lines 55-67; column 6, lines 1-65]. By this rationale **claim 40** is rejected.

Regarding **claim 41**, the combination Sehr-Ginter teaches a method for controlling download access to content available via a network service, comprising: receiving a content download request from the network service, wherein the content download request includes access information [see Ginter, column 19, lines 3-33];

creating a ticket based on the access information, wherein the ticket comprises a plurality of ticket fields to store a plurality of access parameters parsed from the access information [see *Ginter, fig. 3; column 23, lines 20-67*];

storing the ticket [see *Sehr, column 15, lines 9-37*];

providing a ticket address of the ticket to the service for use by a terminal [see *Sehr, column 15, lines 9-67*];

receiving a first transaction request including the ticket address from the terminal;

retrieving the ticket corresponding to the ticket address [see *Sehr, column 9, lines 20-67*];

creating a transaction based on the ticket, wherein the transaction is associated with a transaction identifier [see *Sehr, column 38, lines 60-67; column 39, lines 1-32*];

retrieving targeted content identified in the first transaction request [see *Sehr, column 11, lines 63-67; column 12, lines 1-52*];

receiving subsequent transaction requests including the transaction identifier from the terminal [see *Sehr, column 5, lines 55-67; column 6, lines 1-15*];

retrieving the transaction identified by the transaction identifier; and retrieving targeted content identified in the subsequent transaction requests. The same motivation that was utilized in the combination of claim 1, applies equally as well to claim 41 [see *Sehr, column 38, lines 21-67*]. By this rationale **claim 41** is rejected.

Regarding **claim 43**, the combination Sehr-Ginter teaches the method as in claim 41, further comprising providing the transaction identifier to the terminal via URL encoding. The same motivation that was utilized in the combination of claim 1, applies

equally as well to claim 40. The same motivation that was utilized in the combination of claim 1, applies equally as well to claim 43 [see *Ginter, column 286, lines 1-13*]. By this rationale **claim 43** is rejected.

4. **Claims 17 and 42** are rejected under 35 U.S.C. 103(a) as being unpatentable over Sehr and Ginter as applied to claims 1 and 41 above, and in further view of Freishtat et al (Freishtat), U.S. Patent No. 6,317,783.

Regarding **claim 17**, the combination Sehr-Ginter teaches the method of claim 1, but fails to disclose a method wherein delivering the content to a user terminal comprises delivering the content via an XML document.

In the same field of endeavor, Freishtat discloses “*a service Provider that delivers content to the users using the Extensive Markup Language(XML0 as specified in the W3C to create the pages...)* [see Freishtat, column 12, lines 29-56].

Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Freishtat’s teachings of a method and apparatus to deliver the user content to via an XML documents, with the teachings of Sehr-Ginter, for the purpose of “*authenticating the cardholder or system information and to guarantee a secure information exchange*” as stated by Sehr in lines 37-40 of column 3. Thus, Freishtat also provides motivation to combine by stating a need to also provide to the network with “*the ability to deliver to the end user the information or data in a uniformed manner and permit to the end user to retrieve critical data...*” [see Freishtat, column 3, lines 9-30]. By this rationale **claim 17** is rejected.

Regarding **claim 42**, the combination Sehr-Ginter-Freihat teaches the method as in claim 41, further comprising providing the transaction identifier to the terminal via a cookie. The same motivation that was utilized in the combination of claim 17, applies equally as well to claim 42 [see *Freishtat, column 7, lines 7-55*]. By this rationale **claim 42** is rejected.

5. **Claims 28** is rejected under 35 U.S.C. 103(a) as being unpatentable over Sehr and Ginter as applied to claim 27 above, and in further view of Garner et al (Garner), U.S. Patent No. 6,112,085.

Regarding **claim 28**, the combination Sehr-Ginter teaches the download server as in claim 27, but fails to disclose a server wherein the user terminal identifier is a Mobile Station ISDN/PSTN Number (MSISDN).

In the same field of endeavor, Garner discloses "PSTN interfaces within an ISDN network to receive, process and exchange information with the station terminals...) [see Garner, *column 34, lines 33-59*].

Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Garner's teachings of a method and apparatus to a Mobile Station Identifier is used as a Mobile ISDN station Number, with the teachings of Sehr-Ginter, for the purpose of "*authenticating the cardholder or system information and to guarantee a secure information exchange*" as stated by Sehr in lines 37-40 of column 3. Thus, Garner also provides motivation to

combine by stating a need to also provide to the network with “*the ability to permit mobile users to listen to two-way conversation and to transmit securely...*” [see Garner, column 12, lines 7-11]. By this rationale **claim 28** is rejected.

### **Conclusion**

6. Any inquiry concerning this communication or earlier communications from examiner should be directed to Jude Jean-Gilles whose telephone number is (571) 272-3914. The examiner can normally be reached on Monday-Thursday and every other Friday from 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley, can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-3719.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Jude Jean-Gilles  
Patent Examiner  
Art Unit 2143

JJG

January 24, 2005

W.C.V.  
Primary Examiner  
Art Unit 2143  
William C. Vaughn, Jr.